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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,659	02/11/2004	Koan S. Chong	300.0007	3378
26652	7590	08/08/2007		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER ZHEN, LI B	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 08/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/776,659

Applicant(s)

CHONG ET AL.

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-13 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 7, 14 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 20 are pending in the application.

Allowable Subject Matter

2. Claims 7, 14 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

3. In response to the Non-Final Office Action dated 02/28/2007, applicant argues that the cited prior art does not teach a server maintaining support for uncompleted session initiation protocol invites accepted by the server. It is noted that the claims do not specifically disclose what type of support is maintained for the uncompleted session initiation protocol invites. Simply storing the uncompleted invites in a queue at the server would maintain support for the uncompleted session initiation protocol invites. In another example, putting the uncompleted session initiation protocol invites in a hold state would maintain support for the uncompleted session initiation protocol invites. Finally, it is noted that O'Neill681 discloses maintaining support for the uncompleted session initiation protocol invites by enabling sessions to be put into and out of session hold [col. 20, lines 42 – 60, see also rejection to claim 1 below].

Claim Rejections - 35 USC § 103

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 – 6, 8 – 13 and 15 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0046404 to O'Neill et al. [hereinafter O'Neill, cited in the previous office action] in view of U.S. Patent No. 7,099,681 to O'Neill [hereinafter O'Neill681].**

6. As to claim 1, O'Neill teaches the invention substantially as claimed including a system for session initiation protocol communications on a server [a SIP server program 206; p. 3, paragraph 0047], comprising:

a server [SIP network server 408, 410 and 412; p. 4, paragraph 0054] supporting communications with a client [a SIP client program 204; p. 3, paragraph 0047 and p. 4, paragraph 0050] conforming to session initiation protocol [Session Initiation Protocol; p. 1, paragraph 0002], said client capable of communications with a plurality of servers [SIP user agents 200a, 200b and 200c are connected to the network server 408 in the domain 400, SIP user agents 200d, and 200e are connected to the network server 410 in the domain 402, and SIP user agents 200f and 200g are connected to the network server 412 in the domain 404; p. 4, paragraph 0054];

means for sending a service unavailable message [message library includes a respective delivery failure message for each SIP message delivery failure mode,

including for example, destination SIP user agent unavailable, user unavailable; p. 5, paragraph 0064] to said client [respective SIP server selects an appropriate message from an associated message library (not shown) for inclusion with the original SIP message in step 522; p. 5 paragraph 0064], in response said client providing support for communications with a different server [allows control messages to be processed for delivery by another communications service when the intended destination network system is unavailable; p. 2, paragraph 0022]; and

means for terminating support for session initiation protocol communications on said server [button 306 represents the "BYE" request for terminating a call or a call request; p. 3, paragraph 0048].

Although O'Neill teaches the invention substantially, O'Neill does not teach means for setting a time period for gracefully terminating support for session initiation protocol communications on said server, means for causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client; and means for terminating support for session initiation protocol communications on said server no later than upon expiration of said time period for terminating support.

However, O'Neill⁶⁸¹ teaches a client directly linked to a plurality of servers [col. 9, lines 43 – 54] means for setting a time period [hold period; col. 11, line 62 – col. 12, line 28] for gracefully terminating support for session initiation protocol communications on said server [session hold candidate will have to be terminated to refuse the session

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request, or to permit the reallocation of requested resources; col. 11, lines 47 – 63], means for causing said server to maintain support [enable sessions to be put into and out of session hold; col. 20, lines 42 – 60], until no later than the expiration of said time period for terminating support [col. 16, lines 27 – 63], for uncompleted session initiation protocol invites accepted by said server [col. 11, lines 20 – 32] before sending said service unavailable message to said client [col. 16, lines 27 – 63], and means for terminating support for session initiation protocol communications [col. 17, lines 22 – 58].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of O'Neill to incorporate the features of setting a time period for gracefully terminating support for session initiation protocol communications, causing the server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by the server, and terminating support for session initiation protocol communications on the server no later than upon expiration of the time period for terminating support because this enables a client to maintain a communications session despite a decrease in resources, e.g., temporary reduction or loss of bandwidth, used to support the communications session [col. 6, lines 11 – 18 of O'Neill681].

7. As to claim 2, O'Neill teaches sending said service unavailable message in response to a session initiation protocol invite received by said server from said client [message library includes a respective delivery failure message for each SIP message

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delivery failure mode, including for example, destination SIP user agent unavailable, user unavailable; p. 5, paragraph 0064].

8. As to claim 3, O'Neill as modified teaches the server comprises means for informing said client of said time period for terminating support [col. 8, line 46 – col. 9, line 26 of O'Neill681] together with said service unavailable message [p. 5, paragraph 0064 of O'Neill].

9. As to claim 4, O'Neill as modified teaches the rejecting session initiation protocol service invites after sending the service unavailable message to the client [resource unavailable message; col. 16, lines 27 – 63 of O'Neill681].

10. As to claim 5, O'Neill teaches a second server [SIP network servers; p. 4, paragraph 0054] supporting communications with said client conforming to session initiation protocol [a SIP server program 206; a SIP client program 204; p. 3, paragraph 0047].

11. As to claim 6, O'Neill as modified teaches sending server status test messages until the server re-establishes support for session initiation protocol communications [col. 9, line 53 – col. 10, line 40 of O'Neill681].

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12. As to claims 8 – 13, these are method claims that correspond to system claims 1 – 6; note the rejection to claims 1 – 6 above, which read on these method claims.

13. As to claims 15 – 19, these are product claims that correspond to system claims 1 – 4 and 6; note the rejections to claims 1 – 4 and 6 above, which read on these product claims.

CONTACT INFORMATION

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Examiner
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LBZ

 8/3/2007